

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 22ND OF JULY 2002, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Larry N. Rush	-Vice Chairman
	Gary D. Creed	-Supervisors
	John A. Muffo	
	Annette S. Perkins	
	James D. Politis	
	C.P. Shorter	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Robert C. Parker	-Public Information Officer
	Judy Kiser	-Assistant to the County Administrator
ABSENT:	Mary W. Biggs	-Chair

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Vice-Chair called the meeting to order and the Pledge of Allegiance was recited.

PUBLIC HEARINGS

Special Use Permit

The Roanoke Valley Four Wheelers Association requests a Special Use Permit, with possible conditions, in Agricultural (A-1) to allow a civic club with campground and recreational vehicle park on approximately 125 acres. Property is identified as Tax Parcel No's. 33-A-2A,2E (Account ID #'s 016068,031198), 3870 Bradshaw Road in the Shawsville Magisterial District. The property currently lies in an area designated as Rural in the Comprehensive Plan.

Kevin Boyd, applicant, spoke on behalf of his request. Mr. Boyd explained that the Four Wheelers Association has been at this location for 25 years without knowing they were required to obtain a special use permit.

The Planning Commission has recommended approval of the request, subject to 8 conditions.

There being no further speakers, the public hearing was closed.

Rezoning Amendment

Maple Ridge Land, LLC requests an amendment of proffered conditions to The Villages of Maple Ridge Rezoning Request that was approved on October 9, 2001. The properties are located near the North Main Street (US 460) and Mount Tabor Road (SR 624) intersection and are identified as Tax Parcel Nos. 028-A-93, 94, 95, 96, 97, 98 & 41-A-3, 1A & 41-8-85 (Acct ID #'s 015210, 012278, 015237, 015209) in the Mount Tabor Magisterial District. The properties currently lie in an area designated as Urban Expansion in the Comprehensive Plan.

Sterling Nickols, applicant, spoke on behalf of his request. This rezoning was approved in October, 2001 subject to 8 proffered conditions. Mr. Nichols is asking that the rezoning be amended to include 22 additional proffers.

The Planning Commission has recommended approval of this request.

There being no further speakers, the public hearing was closed.

PUBLIC ADDRESS SESSION

Elliston Fire Department Kenneth B. Wright and Jerry Simms spoke in support of locating the Elliston Fire Department in the Industrial Park in Elliston. Kenneth Wright, on behalf of "The Village of Elliston" presented a petition to the Board with more than 1,000 signatures indicating support for this location.

Supervisor Rush asked at what point the Board of Supervisors would need to make a decision on the location of the Elliston Fire Department.

The County Administrator explained that a Request For Proposals (RFP) will be issued for a consultant to look at the whole county to determine where fire/rescue should be located. Once a consultant is chosen, they should be able to provide an approximate time line.

Empowerment for Healthy Minds Terry Grimes and Marc Cowgill, members of a newly formed group that works to support requests from the New River Valley Community Services, addressed the Board about the importance of mental health and their commitment of advocacy to efforts of agencies such as the Community Services Board.

There being no further speakers, the public address session was closed.

ADD TO THE AGENDA - ADDENDUM

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously, the following addendum dated July 22, 2002 was added to the agenda:

New Business

Appropriation - Technology Assessment and Plan

Closed Meeting

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. Falling Branch Industrial Park
2. Purchase of Property for Public Purpose

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C.P. Shorter	None	Mary W. Biggs
James D. Politis		
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Larry N. Rush		

CONSENT AGENDA

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously, the Consent Agenda dated July 22, 2002 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Mary W. Biggs
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
C.P. Shorter		
Larry N. Rush		

Schedule Public Hearing - Ordinance Relocating The Central Absentee Voting Election Precinct

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery Virginia, that the Board of Supervisors hereby schedules a public hearing on Wednesday, August 14, 2002, at 7:15 p.m. or as soon thereafter, at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia, in order to receive comments on the following:

Proposed Ordinance Relocating the Central Absentee Voting Election Precinct

Proposed Ordinance relocating the Central Absentee Voting Election Precinct from the Jury Room on the 4th Floor at the Montgomery County Courthouse in Christiansburg, Virginia to the Multi-Purpose Room on the 1st Floor of the Montgomery County Government Center located at 755 Roanoke Street, Christiansburg, Virginia.

Floyd Library - Appropriation

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003 for the function and in the amount as follows:

720	Floyd Library	\$180,788
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

416156 Floyd County Reimbursement	\$130,788
416157 Town of Floyd Contribution	\$ 2,000
2404-09 State Library Grant	<u>\$ 48,000</u>
TOTAL	\$180,788

Said resolution provides the appropriation for the operation of the Floyd Library, with Floyd residents and the state providing the funding.

Victim Witness Grant

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003 for the function and in the amount as follows:

551 Victim Witness Grant	\$129,831
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The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

25511-424401 Victim Witness Grant	\$128,765
02-451205 Designated Fund Balance	<u>\$ 1,066</u>
Total	\$129,831

Said resolution appropriates the Victim Witness Grant funds for FY 03 and the balance of the FY 02 grant for repayment to the Department of Criminal Justice Services.

Financial And Management Services

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as:

130 Financial and Management Services 177,097

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419108 Recovered Costs \$177,097

Said resolution provides funds to cover the salary and fringe benefit costs associated with the transfer of four positions from the Public Service Authority to Financial and Management Services as part of the implementation of centralized accounting.

Appointments -Local Emergency Planning Committee (LEPC)

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends that the Virginia Emergency Response Council appoint the following individuals to the Joint Blacksburg/Montgomery County Local Emergency Planning Committee:

Jay Altizer, Chief
Riner Fire Department
P.O. Box 11
Riner, VA 24149
382-6865

Ray Chandler
Shawsville Rescue Squad
P.O. Box 14
Shawsville, VA 24162
268-5414

Joseph Zagrapan
Radford Army Ammunition Plant
P.O. Box 2
Radford, VA 24141
639-8645

Kelly Walters
Christiansburg Rescue Squad
P.O. Box 176
Christiansburg, VA 24073
382-8545

Brad Davis
Virginia Tech Rescue Squad
Military Building
Barger Street
Blacksburg, VA 24061

NEW BUSINESS

School Resource Officer Grant Program - Sheriff

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

321	School Resource Officer Grant Program	\$44,054
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

424401	State Grants	\$44,054
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BE IT FURTHER RESOLVED, That a transfer is hereby authorized as follows:

FROM:

950	General Contingencies	(\$27,871)
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TO:

321	School Resource Officer Grant Program	\$27,871
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Said resolution appropriates the School Resource Officer Grant funds and transfers the local match.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Mary W. Biggs
Annette S. Perkins		
John A. Muffo		
C.P. Shorter		
James D. Politis		
Larry N. Rush		

Social Services - Appropriation

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002, for the function and in the amount as follows:

540 Social Services \$30,000

The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

424102 Public Assistance \$30,000

Said resolution appropriates additional state funding for an additional adoption allocation.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Mary W. Biggs
John A. Muffo		
C.P. Shorter		
James D. Politis		
Gary D. Creed		
Larry N. Rush		

Appropriation-Technology Assessment and Plan

On a motion by C.P. Shorter, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

140 Information Management Services \$50,000

The source of funds for the foregoing appropriation is as follows:

Revenue Account

451203 Undesignated Fund Balance \$50,000

Said resolution appropriates funds unexpended as of June 30, 2002 in the Information Management Services Department for use in the current year to cover the cost of a comprehensive technology assessment and plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Mary W. Biggs
C.P. Shorter		
James D. Politis		
Gary D. Creed		
Annette S. Perkins		
Larry N. Rush		

COUNTY ADMINISTRATOR'S REPORT

Comprehensive Plan Revision Meeting The Planning Director reported on the June 27, 2002 Comprehensive Plan Revision meeting which focused on how the County's comprehensive plan relates to other jurisdictional plans; Blacksburg, Christiansburg, Radford and Virginia Tech.

Web Site Administrator The County Administrator introduced the new web site administrator, Christopher Beam.

Christiansburg Town Hall Renovation Town of Christiansburg is interested in using county-owned property across from the town hall to locate mobile units while their town hall is being renovated. The Town Manager has indicated Judge Grubbs would allow them to use part of the courthouse facilities as well as the annex building. Since renovations to the town hall is expected to take approximately one year and renovations to the courthouse will begin in about a year, this would not interfere with the planned renovation of the courthouse.

BOARD MEMBERS' REPORTS

Supervisor Shorter Fire and Rescue Task Force The Task Force met at the Christiansburg Fire Department on July 18, 2002. The GIS manager and GIS analyst provided an overview of GIS and how fire and rescue may benefit from the information. Staff provided information about the scope of the project for a consultant for the fire and rescue long range service plan. Gary Boring of RC&D provided an overview of the Fire Hazard Mitigation Plan project. Riner Fire Department expressed concern that their \$50,000 command vehicle was not funded in the year requested and neither was the Riner Fire Department Expansion project. The representative believed that the Task Force did not discuss his command vehicle funding. The next meeting of the Fire/Rescue Task Force will be October 2, 2002 at 7:00 p.m. at the Riner Fire Department.

Price's Fork Ballfields Work has commenced on the Price's Fork ballfields.

Radford Army Ammunition Plant - Planned Closing of a Portion of New River to Public The public meeting on the proposed closing of a portion of the New River by the RAAP is scheduled for July 24, 2002 at the Blacksburg Middle School. Supervisor Shorter has been in contact with Colonel Butler of the Arsenal, and Colonel Butler has indicated that canoeing will be allowed through the portion of the river, but a guard will be placed at each end to monitor people in and out. The media has reported that fishing will not be allowed, but no mention was made of that to Supervisor Shorter.

Supervisor Muffo - EchoStar Congressman Boucher made an announcement at a recent gathering that EchoStar plans to “max out” their building located in the Falling Branch Industrial Park, from 1,200 to 2,000 employees.

Supervisor Perkins Chief Local Elected Officials (CLEO) Supervisor Perkins attended a CLEO meeting on this date and received unemployment figures in the third planning district as follows: City of Galax, 17% unemployment, Grayson County, 13%, Carroll County, 11% and Smyth County, 25%.

County/Town Liaison was held on July 17, 2002 and discussions included the following:

- Fire and Rescue Coordinator. General discussion about the possibility of having a coordinator for countywide fire and rescue services.

- Metropolitan Planning Organization Update. The MPO Task Group is comprised of representatives from the 3 jurisdictions. The group to date has been collecting data on how the organization works, what are the requirements and what are the options for implementation. The next meeting is scheduled for July 29th and will include discussion on MPO operations with VDOT. Since the census has defined portions of the 3 jurisdictions as an urbanized area, the area will need to comply with Phase 2 storm water management regulations. MPO update should be included in the next meeting agenda.

- Prices Fork Water Update. Blacksburg has requested a status report on the project at the next liaison meeting.

- Regional Wireless PSAP. Law enforcement agencies in Blacksburg, Christiansburg, Montgomery County, Pulaski County and the City of Radford are proposing to develop a New River Valley wireless PSAP regional group which would administer funds available for wireless PSAP services. The County Administrator explained that discussion started with the managers about having one dispatch center. Discussions have been going on for quite some time on how to improve the efficiency in communication between our emergency services personnel.

Star Solutions/I-81 Improvements Blacksburg asked if Christiansburg or the County had taken an official position on this project. Both reported no official action had been taken to support or oppose this project.

Workforce Investment Act (WIA) Statistic Planning Committee has prepared a community audit program for the two planning districts that are in our workforce area. Supervisor Perkins provided information to be distributed to the Board.

Supervisor Creed - Scheduling School Gyms for Community Activities Supervisor Creed asked that the School Board be requested to come up with a time schedule as to when gyms in the County's schools might be available for community activities such as basketball, etc. Currently, when such a request is made it takes from two to six weeks to find out a gym is not available. It would be very beneficial for the children if a schedule could be worked out to share the facilities with the community. The County Administrator reported that this was discussed at the County/School Liaison meeting a couple of months ago. He will bring it up again for serious discussion at the next County/School Liaison meeting. Supervisor Rush asked that a report be made back to the Board on the outcome of the discussions.

Supervisor Rush - Elliston Fire Department Supervisor Rush asked at what point the Board of Supervisors would need to make a decision on the location of the Elliston Fire Department.

The County Administrator explained that a Request For Proposals. (RFP) will be issued for a consultant to look at the whole county to determine where fire/rescue should be located. Once a consultant is chosen, they should be able to provide an approximate time line.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711 (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel
1. Blacksburg Shell Building
- (3) Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publicly Held Real Property,

Where Discussion in an Open Meeting Would Adversely Affect the
Bargaining Position or Negotiation Strategy of the Public Body

1. Falling Branch Industrial Park
2. Purchase of Property for Public Purpose

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C.P. Shorter	None	Mary W. Biggs
James D. Politis		
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Larry N. Rush		

OUT OF CLOSED MEETING

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C.P. Shorter	None	Mary W. Biggs
James D. Politis		
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Larry N. Rush		

CERTIFICATION OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

C.P. Shorter
James D. Politis
Gary D. Creed
Annette S. Perkins
John A. Muffo
Larry N. Rush

NAYS

None

ABSENT DURING VOTE

Mary W. Biggs

ABSENT DURING MEETING

Mary W. Biggs

ADJOURNMENT

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried unanimously, the Board adjourned to Wednesday, August 14, 2002 at 7:15 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C.P. Shorter	None	Mary W. Biggs
James D. Politis		
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Larry N. Rush		

The meeting adjourned at 10:30 p.m.